

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Inventor(s):</b> Ronald John Shimek et al.	<b>Examiner:</b> PRICE, Carl D
<b>Appln. No.:</b> 09/935,483	<b>Group Art Unit:</b> 3749
<b>Filing Date:</b> August 23, 2001	<b>Confirmation No.:</b> 9000
<b>Title:</b> UNIVERSAL NON-POROUS FIBER REINFORCED COMBUSTION CHAMBER FIREPLACE	<b>Customer No.:</b> 58506 <b>Docket No.:</b> 77012 - 325812

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION**

As a below-named inventor, I hereby declare as follows.

1. My residence, post office address, and citizenship are as stated below next to my name.
2. I verily believe I am the original and first joint inventor of the subject matter which is described and claimed in U.S. Patent No. 5,941,237, entitled "Universal Non-Porous Fiber Reinforced Combustion Chamber Fireplace" and granted on August 24, 1999, and which is described and claimed in reissue application filed on August 23, 2001 as Application No. 09/935,483 and was amended by Preliminary Amendment on August 23, 2001.
3. I have reviewed and understand the contents of the specification and claims of the reissue application.
4. I acknowledge the duty to disclose all information which is material to the patentability of this reissue application in accordance with 37 C.F.R. § 1.56.
5. I believe the original patent to be partly inoperative or invalid by reason of the patentee claiming more or less than patentee had the right to claim in the patent.
6. At least one error upon which reissue is based is that the claims are too narrow or too broad, in that some of the claims, such as claim 8, recite a universal open box combustion chamber including panels comprising vitreous alumina silicate fibers, which is narrower in scope

than panels comprising refractory ceramic fibers.

7. The amendments included herewith introduce the appropriate claim scope, in that the claims, such as claim 19, recite a universal open box combustion chamber including panels comprising refractory ceramic fibers.

8. Every error in the patent which was corrected in the present reissue application, and is not covered by the prior declaration submitted in this application, arose without any deceptive intention on the part of the application.

9. I authorize Faegre & Benson LLP to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

10. Please direct all correspondence in this case to Faegre & Benson LLP at the address indicated below:

Faegre & Benson LLP  
2200 Wells Fargo Center  
90 South 7th Street  
Minneapolis, MN 55402

11. I hereby declare that all statements made herein of my own knowledge are true and that all statements made of information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name Of Inventor	Family Name Shimek	First Given Name Daniel	Second Given Name Curtis
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Date 2/2/07	Signature <i>Daniel Curtis Shimek</i>		

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Full Name Of Inventor	Family Name Shimek	First Given Name Patricia	Second Given Name J
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Date 2/2/07	Signature (Legal Representative of Ronald John Shimek, Deceased) 		